

REMARKS

Claims 1-15 are currently pending in the case. Applicants respectfully request reconsideration of claims 1-15 in light of the following remarks.

Claims 1, 2, 4, 6, 7, 9, 11, 12, and 14 stand rejected for obviousness under 35 U.S.C. § 103(a) as being unpatentable over Maekawa, *et al.* (U.S. Patent No. 6,848,101) in view of Moyer, *et al.*, (U.S. Patent Application Publication No. 2002/0103898) in further view of Elson, *et al.*, (U.S. Patent Application Publication No. 2003/0014521). To establish a prima facie case of obviousness under 35 U.S.C. § 103, the combination of Maekawa, Moyer, and Elson must teach or suggest all of Applicants' claim limitations. *Manual of Patent Examining Procedure* §2142.; *In re Royka*, 490 F.2d 981, 985, 180 USPQ 580, 583 (CCPA 1974). The combination of Maekawa, Moyer, and Elson does not teach or suggest all the elements of claims 1, 2, 4, 6, 7, 9, 11, 12, and 14. Independent claim 1 recites a 'method of control of collaborative devices' that includes, among other elements, 'providing at least two collaborative devices, wherein each collaborative device comprises a client device and an embedded Java server.' The Office Action takes the position that Maekawa teaches this element in Figure 17, elements 3a-3n. Figure 17, elements 3a-3n of Maekawa are clearly labeled and described as servers, not client devices as claimed in claim 1. Figure 17, elements 3a-3n of Maekawa are therefore not collaborative devices each of which comprise a client device as claimed in claim 1. Furthermore, Figure 17 elements 3a-3n of Maekawa include element 31a which is labeled as a 'networked-directed language execution environment (JavaVM).' The Java Virtual Machine of 31a is described in column 5 of Maekawa and is not an 'embedded Java server' as claimed in claim 1. Page 2 of Applicants original specification describes an embedded Java server as follows"

"Embedded server" means a Java embedded server, a small-footprint application server that can be embedded in any networked device, home gateway, or client device. Embedded servers typically are zero-administration devices intended, when implemented as service gateways, to divide a network architecture into an external WAN and an internal LAN. An embedded server manages services deployed from trusted external resources to internal client devices over a network,

including, for example, services implemented through OSGI-compliant service bundles. Embedded servers enable deployment and installation of services, such as OSGI-compliant service bundles, on a just-in-time basis, when the services are needed from time to time for use by client devices.

The 'networked-directed language execution environment' implemented with a Java Virtual Machine of Maekawa is not an embedded Java server as claimed in claim 1. Figure 17 elements 3a-3n of Maekawa are therefore not collaborative devices, where each collaborative device includes an embedded Java server as claimed in claim 1. Neither Moyer nor Elson cure the deficiencies of Maekawa. Instead, Moyer teaches using session initial protocol to communicate with network capable appliances and Elson teaches an open platform architecture and methods for shared resource access management. As such, the combination of Maekawa, Moyer, and Elson does not teach or suggest all the elements of claims 1 and the rejection should be withdrawn.

Turning now to another element of independent claim 1, claim 1 also recites, among other elements, 'registry records representing capabilities of collaborative devices further comprise data elements describing, for each collaborative device, capabilities, tertiary relationships, and network connectivities.' The Office Action admits that Maekawa does not teach this limitation. The Office Action attempts to cure this deficiency with Moyer. The Office Action takes the position that Moyer teaches this limitation at paragraph 0348. Paragraph 0348 of Moyer actually states:

[0348] In the next scenario, assume that Wally's VCR broke down a few days ago. Today is Saturday and Wally wants to record "The Simpson's" cartoon show. He walks up to his office colleague Dilbert, who gives him permission to use his VCR to record the show. Wally knows Dilbert's VCR is a Sony Model, but does not know if it supports preprogrammed pause and resume for recording (to avoid commercial advertisements). In the arrangement of FIG. 12, Wally from the office p.c. 101 queries the VCR connected to UA 208 at Dilbert's Home to determine its set of capabilities. Wally receives a response from the VCR telling him which video package this particular VCR supports, as well as more detailed information about the VCR.

That is, paragraph 0348 of Moyer describes querying a VCR at Dilbert's home to determine its capabilities. Paragraph 0348 does not teach the 'data elements describing, for each collaborative device,' 'tertiary relationships.' In fact, paragraph 0348 of Moyer does not mention or even suggest 'tertiary relationships.' Elson does not cure the deficiencies of Moyer. Instead, Elson teaches an open platform architecture and methods for shared resource access management. As such, the combination of Maekawa, Moyer, and Elson does not teach or suggest all the elements of claims 1 and the rejection should be withdrawn.

Independent claim 1 claims method aspects of control of collaborative devices according to embodiments of the present invention. Independent claims 6 and 11 respectively claim system and computer program product aspects for control of collaborative devices according to embodiments of the present invention. Claim 1 is allowable for the reasons set forth above. Claims 6 and 11 are rejected for the same reasons as claim 1 and are shown to be allowable for the same reasons that claim 1 is allowable. The rejections of claims 6 and 11 therefore should be withdrawn, and claims 6 and 11 should be allowed.

Claims 2, 4, 7, 9, 12, and 14 depend respectively from independent claims 1, 6, and 11. Each dependent claim includes all of the limitations of the independent claim from which it depends. Because the combination of Maekawa, Moyer, and Elson does not teach or suggest all the elements of the independent claims, so also the combination of Maekawa, Moyer, and Elson cannot teach or suggest each and every element of any dependent claim. The rejections of claims 2, 4, 7, 9, 12, and 14 therefore should be withdrawn, and these claims also should be allowed.

Turning now to the rejection of claims 3, 5, 8, 10, 13 and 15. Claims 3, 5, 8, 10, 13 and 15 stand rejected for obviousness under 35 U.S.C. § 103(a) as being unpatentable over Maekawa, *et al.* (U.S. Patent No. 6,848,101) in view of Cheng, *et al.*, (U.S. Patent Application Publication No. 2001/00322273). As mentioned above, to establish a *prima facie* case of obviousness under 35 U.S.C. § 103, the combination of Maekawa and Cheng must teach or suggest all of Applicants'

claim limitations. Claims 3, 5, 8, 10, 13 and 15 depend from independent claims 1, 6, and 11 and include all the elements of the claims from which they depend. As shown above, Maekawa alone or in combination with Moyer, and Elson does not teach or suggest all the elements of claims independent claims 1, 6, and 11. Cheng does not cure the deficiencies of Maekawa, Moyer, and Elson in disclosing the elements of the independent claims. Instead, Cheng teaches using thin glue layers to bridge a non-internet protocol network and the internet. The combination of Maekawa and Cheng therefore does not teach or suggest all the elements of dependent claims 3, 5, 8, 10, 13 and 15 that depend from independent claims 1, 6, and 11 and the rejection should be withdrawn.

The Commissioner is hereby authorized to charge or credit Deposit Account No. 09-0447 for any fees required or overpaid.

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By:

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